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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/516,699	03/01/2000	Hiroshi Koike	Hitachi-0006	3585

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KNOBLE & YOSHIDA  
EIGHT PENN CENTER  
SUITE 1350, 1628 JOHN F KENNEDY BLVD  
PHILADELPHIA, PA 19103

EXAMINER

CAMPBELL, JOSHUA D

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 08/13/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/516,699

Applicant(s)

KOIKE ET AL.

Examiner

Joshua D Campbell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 March 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### **DETAILED ACTION**

1. This action is responsive to communications: Application filed on 03/01/2000 and Information Disclosure Statement filed on 03/10/2000.
2. Claims 1-22 are pending in the case. Claims 1 and 12 are independent claims.

### ***Oath/Declaration***

3. It does not identify the citizenship of each inventor. The application is missing the citizenship of the fifth inventor.

### ***Specification***

4. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and **should not compare the invention with the prior art.**

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 17-22 recite the limitation "system" in line 1. There is insufficient antecedent basis for this limitation in the claim. These claims are dependent upon claim 11, which is disclosing a "method", not a "system".

Claims 17-22 are assumed to be improperly dependent upon claim 11. For the purpose of further examination of the application, these claims were assumed to be dependent on independent claim 12. **Proper correction is required.**

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-4, 6-8, 10, 12-15, 17-19, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baxter et al. (US Patent Number 6,356,903, filed on December 30, 1998).**

8. **Regarding independent claim 1**, Baxter et al. discloses a method of using a template to generate and update web pages based on specified trigger events that occur before a client requests a page (column 7, lines 16-21, and column 9, lines 28-33 of Baxter et al.). The web page is then stored as two parts, an outline and a template. These parts are then combined when a client requests the page (column 1, 46-50 of Baxter et al.). Baxter et al. does not disclose storing the page as one part.

However, Baxter et al. discloses the method of storing a constructed page as two parts to make manual page maintenance easier for the developer to complete (column 1, 46-50 of Baxter et al.). One of ordinary skill in the art at the time the invention was made would have used a one-page storage method in the method disclosed by Baxter et al. It would have been obvious to one of ordinary skill in the art because it would have had the same functionality as the method disclosed by Baxter et al. without the responsibility of making the generated page easier to maintain.

9. **Regarding dependent claim 2**, Baxter et al. discloses a method of generating a web page using a template, which contains the properties of the web page and how to format the data that is applied to the web page (column 9, lines 28-34 of Baxter et al.).

10. **Regarding dependent claims 3 and 4**, Baxter et al. discloses a method of handling the executable code within a dynamically generated web page using triggers and an application services procedure (column 5, lines 64-67-column 6, lines 1-2 of Baxter et al.). Immediate executable code will be run when a page is generated. The use of triggers would cause delayed executable code to be converted and executed upon the occurrence of a trigger event.

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11. **Regarding dependent claim 6**, Baxter et al. discloses a method of using triggers to cause a page update that may be defined as driven by a date, time, change in data, or other events (column 15, lines 10-25 of Baxter et al.).

12. **Regarding dependent claim 7**, Baxter et al. does not disclose the use of an "update flag" in response to data update events. However, it would have been obvious to one of ordinary skill in the art that the use of a flag is a programming method that adds nothing to functionality of the triggers already disclosed by Baxter et al. One of ordinary skill in the art would have used an update flag in the method disclosed by Baxter et al. It would have been obvious to one skilled in the art because the use of flags is just one of many ways to operate triggers.

13. **Regarding dependent claim 8**, Baxter et al. disclose a method in which the web page will continually update based on the set triggers regardless of when the page is requested by a client (column 12, lines 23-27 of Baxter et al.).

14. **Regarding dependent claim 10**, Baxter et al. discloses a method in which the pages are generated, updated, and stored on a server (column 5, lines 1-3 of Baxter et al.).

15. **Regarding independent claim 12 and dependent claims 13-15, 17-19, and 21**, these claims contain substantially similar subject matter as claims 1-4, 6-8, and 10. In addition to this, Baxter et al. teaches a method of page generation to be applied in the embodiment of a system (column 4, lines 10-12 of Baxter et al.). Thus, the claims are rejected along the same rationale as claims 1-4, 6-8, and 10.

**Claims 5 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baxter et al. (US Patent Number 6,356,903, filed on December 30, 1998) as applied to claim 4 above, and further in view of Slade (US Patent Number 6,269,275, filed on March 31, 1998).**

16. **Regarding dependent claim 5**, Baxter et al. does not disclose a method of incorporating user information into the generated page. However, Slade discloses a method in which customized presentations are updated periodically (column 3, lines 6-10 of Slade). During the operation of this method user profile information is gathered by a computer for use in the customization in the generation of presentations (column 4, lines 41-45 of Slade).

One of ordinary skill in the art at the time the invention was made would have used the method of Slade to incorporate user information in the customization in the method of Baxter. It would have been obvious to one of ordinary skill in the art to do this because it would allow for further personalization of the dynamically generated pages.

17. **Regarding dependent claim 16**, this claim contains substantially similar subject matter as claim 5. In addition to this, Baxter et al. teaches a method of page generation to be applied in the embodiment of a system (column 4, lines 10-12 of Baxter et al.). Thus, the claim is rejected along the same rationale as claim 5.

**Claims 9 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baxter et al. (US Patent Number 6,356,903, filed on December 30, 1998) as applied**

**to claim 1 above, and further in view of the Microsoft Press Computer Dictionary (published by Microsoft Press in 1997).**

18. **Regarding dependent claim 9**, Baxter et al. does not disclose a method of storing the generated web page on a proxy server. However, the Microsoft Press Computer Dictionary contains this definition of a proxy server: *A proxy server can improve performance by supplying frequently requested data, such as a popular web page...* (page 387 of Microsoft Press Computer Dictionary).

One of ordinary skill in the art at the time the invention was made would have used a proxy server to store the web page generated in the method of Baxter et al. It would have been obvious to one of ordinary skill in the art because it was common practice in the art to use proxy servers to provide access to web pages.

19. **Regarding dependent claim 20**, this claim contains substantially similar subject matter as claim 9. In addition to this, Baxter et al. teaches a method of page generation to be applied in the embodiment of a system (column 4, lines 10-12 of Baxter et al.). Thus, the claim is rejected along the same rationale as claim 9.

**Claims 11 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baxter et al. (US Patent Number 6,356,903, filed on December 30, 1998) as applied to claim 1 above, and further in view of Nguyen (US Patent Application Publication Number 2002/0147788, filed on September 13, 1996).**

20. **Regarding dependent claim 11**, Baxter et al. does not disclose the use of his method on a client site. However, Nguyen discloses a method of preloading web pages



in which the client site makes requests to a server based on a page it already has loaded (page 2, paragraph 30, lines 7-12 of Nguyen).

One of ordinary skill in the art at the time the invention was made would have operated the method of Baxter et al. on the client site as taught by Nguyen. It would have been obvious to one of ordinary skill in the art because it allows the method to be operated in a larger variety of locations.

21. **Regarding dependent claim 22**, this claim contains substantially similar subject matter as claim 11. In addition to this, Baxter et al. teaches a method of page generation to be applied in the embodiment of a system (column 4, lines 10-12 of Baxter et al.). Thus, the claim is rejected along the same rationale as claim 11.

### ***Conclusion***

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**US Patent Number 6,182,113, filed on September 16, 1997, by**

**Narayanaswami.**

**US Patent Application Publication Number 2002/0107946, filed on June 30,**

**1997, by Albers.**

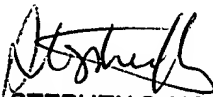
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D Campbell whose telephone number is (703)305-5764. The examiner can normally be reached on M-F (8:00 AM - 4:30 PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703)308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-7239 for regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

jdc  
August 1, 2003

  
STEPHEN S. HONG  
PRIMARY EXAMINER